



RCE
JTW

Mail Stop RCE REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL	Application Number	09/670,781
	Filing Date	September 27, 2000
	Inventor(s)	DALY
	Conf. No.	6751
	Group Art Unit	1761
	Examiner	Weinstein, S.
Express Mail Label No.: EL 997386010 US	Attorney Docket No.	00-39 RCE

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114	
a. <input type="checkbox"/> Previously submitted	
i. <input type="checkbox"/> Consider the Amendment(s)/Response under 37 C.F.R. § 1.116 previously filed on _____ (Any unentered Amendment(s) referred to above will be entered).	
ii. <input type="checkbox"/> Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____	
iii. <input type="checkbox"/> Other: _____	
b. <input checked="" type="checkbox"/> Enclosed	05/06/2005 WASFAW1 00000055 09670781
i. <input checked="" type="checkbox"/> Amendment/Reply;	01 FC:1801
ii. <input type="checkbox"/> Affidavit(s)/Declaration(s);	790.00 OP
iii. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS); and/or	
iv. <input type="checkbox"/> Other: _____	
2. Miscellaneous	
a. <input type="checkbox"/> Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required)	
b. <input type="checkbox"/> Other: _____	
3. Petition For Extension of Time	
A Petition to Extend the life of the present application to at least to the date hereof:	
a. <input type="checkbox"/> is not necessary.	
b. <input type="checkbox"/> was previously filed on _____.	
c. <input checked="" type="checkbox"/> is being concurrently filed in this application. (The fee for this petition is itemized below)	
4. Fees (Fee Transmittal Form is attached - in duplicate)	
a. <input checked="" type="checkbox"/> The Director is hereby authorized to charge the following fees, or credit any overpayments to Deposit Account No. 50-0558.	
i. <input checked="" type="checkbox"/> RCE fee of \$790.00 required under 37 C.F.R. § 1.17(e)	
ii. <input checked="" type="checkbox"/> Extension of time fee of \$120.00 required under 37 C.F.R. §§ 1.136 and 1.17	
iii. <input checked="" type="checkbox"/> Other: <u>Excess claim fees totaling \$1,450.00; IDS fee \$180.00</u>	
b. <input checked="" type="checkbox"/> Check in the amount of \$2,540.00 enclosed, check no. 1279	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Individual and Company	Timothy Nathan, Reg. No. 44,256 RESPIRONICS, Inc., 1010 Murry Ridge Lane, Murrysville PA, 15668
Signature	
Date	May 4, 2005

CERTIFICATE OF MAILING			
I hereby certify that this correspondence and all enclosures are being deposited with the United States Postal Service with sufficient postage as "Express Mail Post Office to Addressee" in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: <u>May 4, 2005</u> , Express Mail Label No. <u>EL 997386010 US</u> .			
Typed Name	Timothy Nathan, Reg. No. 44,256		
Signature		Date	May 4, 2005